

**SUPREME COURT MINUTES
TUESDAY, MAY 30, 2006
SAN FRANCISCO, CALIFORNIA**

S056364**PEOPLE v. JONES (ALBERT)**

Extension of time granted to July 31, 2006, to file appellant's opening brief. After that date, only four further extensions totaling about 210 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jessica K. McGuire's representation that she anticipates filing that brief by March 1, 2007.

S065233**PEOPLE v. SMITH (FLOYD D.)**

Extension of time granted to August 4, 2006, to file the appellant's opening brief. After that date, only one further extension totaling about 45 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing that brief by September 15, 2006.

S069959**PEOPLE v. LEWIS (MICHAEL B.)**

Extension of time granted to July 31, 2006, to file the appellant's reply brief. After that date, only one further extension totaling about 30 additional days are contemplated. Extension is granted based upon counsel Tara K. Allen's representation that she anticipates filing that brief by August 30, 2006.

S073823**PEOPLE v. BUENROSTRO (DORA)**

Extension of time granted to August 1, 2006, to file the appellant's opening brief. The court anticipates that after that date, only six further extensions totaling about 330 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S076175**PEOPLE v. LOY (ELOY)**

Extension of time granted to August 2, 2006, to file the appellant's opening brief. After that date, only three further extensions totaling about 180 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Marianne D. Bachers's representation that she anticipates filing that brief by January 31, 2007.

S085578**PEOPLE v. MCDOWELL
(CHARLES)**

Extension of time granted to August 4, 2006, to file appellant's opening brief.

S107782**WELCH (DAVID E.) ON H.C.**

Extension of time granted to June 23, 2006, to file the reply to respondent's return to order to show cause.

S134304**WALLACE (ROOSEVELT) ON H.C.**

Extension of time granted to June 29, 2006, to file respondent's informal response.

S135333**AGURO (MASAYUKI) ON H.C.**

Extension of time granted to June 29, 2006, to file response.

S136154

B173281 Second Appellate District, Div. 5

**ANGELUCCI (MARC) v. CENTURY
SUPPER CLUB**

Extension of time granted to June 30, 2006, by appellants, Marc Angelucci, Elton Campbell, and Edgar Pacas to file answer to amicus brief of Pacific Legal Foundation.

S136708**WADE (TOBY T.) ON H.C.**

Extension of time granted to June 29, 2006, to file respondent's informal response.

S141359**PEOPLE v. KELLY (JAY A.)**

Upon request of appellant for appointment of counsel, Stephen Buckley is hereby appointed to represent appellant on the appeal now pending in this court.

S142240**HENDERSON (VIRGINIA L.) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to and including June 28, 2006.

S048440**PEOPLE v. LIGHTSEY
(CHRISTOPHER C.)**

Appellant's "Application to File Overlength Brief" is granted.

S120832**CRUTCHFIELD ON DISCIPLINE**

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above-entitled matter is lifted, and **John J. Crutchfield, State Bar No. 81729**, must be actually suspended from the practice of law for one year and until he shows proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice, and present learning and ability in the general law in accordance with standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension is given for the period of involuntary inactive enrollment which commenced on March 9, 2006. (Bus. & Prof. Code, § 6007, subd. (d)(3).) It is further ordered that Crutchfield comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, §6126, subd. (c).)

S125995**STENGER ON DISCIPLINE**

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **JEANNE PARSONS STENGER, State Bar No. 117713**, must be placed on probation for two years subject to the conditions of probation recommended by

the Hearing Department in its decision filed March 2, 2006, including actual suspension from the practice of law for one year. Credit toward the period of actual suspension must be given for the period of involuntary inactive enrollment which commenced on March 5, 2006 (Business and Professions Code § 6007(d)(3)). It is further ordered that she comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S132495**O'KEEFE ON DISCIPLINE**

Good cause having been shown, it is hereby ordered that probation is revoked and reinstated for one year subject to the same conditions of probation previously imposed in S132495 (03-O-04419), the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **CHRISTOPHER J. O'KEEFE, State Bar No. 165197**, must be actually suspended from the practice of law for 30 days. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2007 and 2008. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S141902**CAMP ON DISCIPLINE**

It is ordered that **THOMAS FARADAY CAMP, State Bar No. 42007** be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including one year actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 20, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S141903**CHIEN ON DISCIPLINE**

It is ordered that **DANIEL EDOUARD CHIEN, State Bar No. 190061**, be suspended from the practice of law for three years and until he makes restitution as set forth below; and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for two years and until he makes restitution to Gloria Lopez in the amount of \$3,555.67 plus 10 percent interest per annum from the effective date of this order (or to the Client Security Fund to the extent of any payment from the fund to Gloria Lopez, plus interest and costs, in accordance with Business and Professions Code § 6140.5); to Esther Rizo in the amount of \$4,777.24 plus 10 percent interest per annum from the effective date of this order (or to the Client Security Fund to the extent of any payment from the fund to Esther Rizo, plus interest and costs, in accordance with Business and Professions Code section 6140.5); and to

Humberto Hernandez Cruz in the amount of \$3,049 plus 10 percent interest per annum from the effective date of this order (or to the Client Security Fund to the extent of any payment from the fund to Humberto Hernandez Cruz, plus interest and costs, in accordance with Business and Professions Code section 6140.5), and furnishes satisfactory proof thereof to the State Bar's Office of Probation; and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d). Respondent is ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 24, 2006. Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S141904

DAVIS ON DISCIPLINE

It is ordered that **Andrew J. Davis, Jr., State Bar No. 24255**, be suspended from the practice of law for two years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including ninety days' actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 25, 2006. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S141916

SMITH ON DISCIPLINE

It is ordered that **WARD DOUGLAS SMITH, State Bar No. 101956**, be suspended from the practice of law for two years and until respondent shows proof satisfactory to the State Bar Court of rehabilitation, present fitness to practice, and present learning and ability in the law, pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including nine months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 24, 2006. It is also ordered that credit toward the period of actual suspension be given for the period of interim suspension which commenced on June 6, 2005. (*In re Young* (1989) 49 Cal.3d 257, 270.) It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within 18 months after the effective date of this order or during the period of actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is also ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-half of said costs must be paid with membership fees for the years 2007 and 2008. It is further ordered that if Ward Douglas Smith fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section

6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S141918**MARKUM ON DISCIPLINE**

It is ordered that **Lonnie Robert Markum, State Bar No. 188338**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including ninety days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed on November 4, 2005, as modified by its order filed on December 5, 2005. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S141920**GIDEON ON DISCIPLINE**

It is ordered that **Paul Raj Gideon, State Bar No. 211862**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 60 days as recommended by the Hearing Department of the State Bar Court in its decision filed on January 19, 2006; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and are enforceable both as provided in Business & Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S141922**BURT ON DISCIPLINE**

It is ordered that **JOHN RYAN BURT, State Bar No. 208563**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 16, 2005, as modified by its order filed J January 10, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the

effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2007 and 2008. It is further ordered that if **John Ryan Burt** fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. (Bus. & Prof. Code § 6086.10.)

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S141923**DOWELL ON DISCIPLINE**

It is ordered that **DAVID REED DOWELL, State Bar No. 55145**, be suspended from the practice of law for one year and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on December 22, 2005, as modified by its order filed January 30, 2005. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S143622**HIGUCHI ON RESIGNATION**

The voluntary resignation of **Makoto Mayo Higuchi, State Bar No. 36873**, as a member of the State Bar of California is accepted.

S143623**JENKINS ON RESIGNATION**

The voluntary resignation of **William John Jenkins, State Bar No. 53823**, as a member of the State Bar of California is accepted.

S143624**KERRY ON RESIGNATION**

The voluntary resignation of **Edgar Allen Kerry, State Bar No. 44104**, as a member of the State Bar of California is accepted.

S143626**LEVIN ON RESIGNATION**

The voluntary resignation of **Dora Rosenberg Levin, State Bar No. 53974**, as a member of the State Bar of California is accepted.

S143636**MATEJKA ON RESIGNATION**

The voluntary resignation of **John Charles Matejka, Jr. , State Bar No. 92839**, as a member of the State Bar of California is accepted.

S143639**BURTON ON RESIGNATION**

The voluntary resignation of **STEVEN DAVID BURTON**, State Bar No. **63325**, as a member of the State Bar of California is accepted.

143640**DEDOMINICIS ON RESIGNATION**

The voluntary resignation of **GINA MARGARET DEDOMINICIS**, State Bar No. **128376**, as a member of the State Bar of California is accepted.

S143641**HAMILTON ON RESIGNATION**

The voluntary resignation of **GRANVILLE KENT HAMILTON**, State Bar No. **50692**, as a member of the State Bar of California is accepted.

S143642**PINNEGAR ON RESIGNATION**

The voluntary resignation of **TERRY ALAN PINNEGAR**, State Bar No. **113904**, as a member of the State Bar of California is accepted.

S143644**O'SHIELDS ON RESIGNATION**

The voluntary resignation of **SARA O'SHIELDS**, State Bar No. **80624**, as a member of the State Bar of California is accepted.

S143645**PETERSEN ON RESIGNATION**

The voluntary resignation of **GEORGE SEVERANCE PETERSEN**, State Bar No. **45750**, as a member of the State Bar of California is accepted.

S143647**REARDON ON RESIGNATION**

The voluntary resignation of **WILLIAM HENRY REARDON**, State Bar No. **58091**, as a member of the State Bar of California is accepted.

S143650**RHODES ON RESIGNATION**

The voluntary resignation of **VELMA M. RHODES**, State Bar No. **49720**, as a member of the State Bar of California is accepted.

S143651**WILLISCROFT-BARCUS ON RESIGNATION**

The voluntary resignation of **BEVERLY WILLISCROFT-BARCUS**, State Bar No. **78592**, as a member of the State Bar of California is accepted.

S143652**BARNHILL ON RESIGNATION**

The voluntary resignation of **JAMES HERBERT BARNHILL**, State Bar No. **42697**, as a member of the State Bar of California is accepted.

S143654**BESS ON RESIGNATION**

The voluntary resignation of **CERINI CREELY BESS, State Bar No. 70164**, as a member of the State Bar of California is accepted.

S143655**BOLEN ON RESIGNATION**

The voluntary resignation of **VIRGINIA ROBINSON BOLEN, State Bar No. 44074**, as a member of the State Bar of California is accepted.

S143656**BROWN ON RESIGNATION**

The voluntary resignation of **HEATHER ELIZABETH BROWN, State Bar No. 167721**, as a member of the State Bar of California is accepted.

S143658**CULLATHER ON RESIGNATION**

The voluntary resignation of **RICHARD BRENNAN CULLATHER, State Bar No. 56820**, as a member of the State Bar of California is accepted.

S143659**GARCIA ON RESIGNATION**

The voluntary resignation of **MELISSA DIANA GARCIA, State Bar No. 190676**, as a member of the State Bar of California is accepted.

S143661**HAUSERMAN ON RESIGNATION**

The voluntary resignation of **SANDRA SMITH HAUSERMAN, State Bar No. 88085**, as a member of the State Bar of California is accepted.

S143666**NATHAN ON RESIGNATION**

The voluntary resignation of **ANNA ELIZABETH NATHAN, State Bar No. 215810**, as a member of the State Bar of California is accepted.

S143669**PHELPS ON RESIGNATION**

The voluntary resignation of **FRED ANDERSON PHELPS, State Bar No. 54319**, as a member of the State Bar of California is accepted.

S143670**WHITE ON RESIGNATION**

The voluntary resignation of **BRITTAN R. WHITE, State Bar No. 63180**, as a member of the State Bar of California is accepted.

S143671**WHITFIELD ON RESIGNATION**

The voluntary resignation of **PINCKNEY N. WHITFIELD, State Bar No. 101508**, as a member of the State Bar of California is accepted.

S143672**BRANDIS ON RESIGNATION**

The voluntary resignation of **BARBARA BRANDIS, State Bar No. 103091**, as a member of the State Bar of California is accepted.

S143673**BUCK ON RESIGNATION**

The voluntary resignation of **GEORGE JOSEPH BUCK, State Bar No. 65342**, as a member of the State Bar of California is accepted.

S143674**COOPER ON RESIGNATION**

The voluntary resignation of **WILLIAM PARKER COOPER III, State Bar No. 68782**, as a member of the State Bar of California is accepted.

S143675**DAME ON RESIGNATION**

The voluntary resignation of **LAUREN ANN DAME, State Bar No. 114004**, as a member of the State Bar of California is accepted.

S143677**DODGE ON RESIGNATION**

The voluntary resignation of **VIRGINIA N. H. DODGE, State Bar No. 104533**, as a member of the State Bar of California is accepted.

S143696**ALIKES ON RESIGNATION**

The voluntary resignation of **STEPHEN ALIKES, State Bar No. 93450**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

992835-06

THE HONORABLE PATTI S. KITCHING, Associate Justice of the Court of Appeal, Second Appellate District, Division Three, is hereby assigned to assist the Supreme Court, as a justice thereof, on May 30, 2006, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.